



UNITED STATES PATENT AND TRADEMARK OFFICE

Technology Center 1700

AUG 20 2004
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In re application of :
Hideaki Fukuda et al : DECISION ON
Serial No. 09/511,934 : PETITION
Filed: February 24, 2000 :
For: THIN-FILM FORMING APPARATUS HAVING AUTOMATIC
CLEANING FUNCTION FOR CLEANING THE INSIDE:

This is a response to the PETITION TO WITHDRAW HOLDING OF ABANDONMENT BASED ON FAILURE TO RECEIVE OFFICE ACTION UNDER 37 C.F.R. 1.181(a), filed June 01, 2004. The petition requests that the abandonment, as set forth in the Notice of Abandonment of May 18, 2004, for failure to timely file a proper response to the Office letter dated November 06, 2003 be withdrawn. The petitioner asserts that the Office letter of November 06, 2003 was not received by applicants.

DECISION

The instant request is accepted as a timely petition under 37 C.F.R. 1.181 (no fee), and is evaluated under the procedures regarding an acceptable showing of non-receipt of an office action. See MPEP 711.03(c)(II).

The evidence presented is sufficient to establish that the Office letter of November 06, 2003 was not received by the petitioner. The evidence provided includes a statement by the petitioner that the Office letter of November 06, 2003 was not received, a statement that a search of the file and docket records was made, and a statement that the search revealed the Office letter mailed November 06, 2003 was not received. Also provided is a copy of the attorney's docket record as of May 27, 2004 for SN 09/511,934 where the Office letter of November 06, 2003 would have been posted had it been timely received; and 2) a copy of address change request faxed on August 14, 2002. A review of the instant application file indicates that the



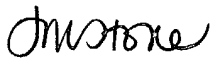
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address change request filed August 14, 2002 has not been processed, therefore, the USPTO records have not been updated to include the correspondence address of the attorney submitted on August 14, 2002.

Therefore, the abandonment is hereby withdrawn, and the application is returned to pending status. The application will be forwarded to the examiner for prompt remailing of the above noted Office letter of November 06, 2003 to the new correspondence address and restarting of the statutory period of response from the remail date thereof.

The Petition is **GRANTED**.



Jacqueline Stone, Director
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